

05.10.2024

Sl. No. 136

Ct. No. 23

Srimanta

WPA/24021/2024

Sandhya Singha & Anr.

-Vs.-

The Union of India & Ors.

Mr. Sushanta Kumar Gangopadhyay,

Mr. Arun Kumar Chakraborty,

Ms. Subhashree Banerjee

...for the petitioners.

The writ petitioners are seeking compassionate appointment by way of implementation of the scheme for compassionate appointment prevailing in the employer organization being the Department of Post and Telegraph where his father was a Group – 'D' employee and died in harness on 26th September, 2005. In view of the provisions of Section 14 read with Section 28 and 3(q) of the Administrative Tribunals Act, 1985 this Court lacks the jurisdiction to receive, try and determine the writ petition.

The writ petition is dismissed as withdrawn with liberty to the petitioner to file afresh before the appropriate forum on the selfsame cause, if otherwise permissible in law. The time spent between 19.09.2024 and till date, i.e. 05.10.2024 shall be construed to be the time spent in prosecuting a litigation *bona fide* before a Court without jurisdiction.

(Arindam Mukherjee, J.)